

REMARKS

The office action of April 15, 2009, has been carefully considered.

It is noted that claim 5 is rejected under 35 U.S.C. 102(b) or, in the alternative, under 35 U.S.C. 103(a) over the patent to Sakaya et al.

Claims 1-4, 6 and 7 are allowed.

It is respectfully submitted that the claims presently on file differ essentially and in an unobvious, highly advantageous manner from the constructions disclosed in the reference.

Turning now to the patent to Sakaya et al., it can be seen that this patent discloses a heat pipe and method for manufacture thereof. In this reference, the heat pipe is formed by roll forming and welding. The wall of the pipe is subsequently profiled in a corrugating machine that deforms the entire pipe wall. The corrugating machine rotates around the longitudinal axis of the pipe and produces a helical formation. Contrary to the present invention, which is only deformed on the sides and has a constant

width, in Sakaya et al. the width of the pipe changes along the entire longitudinal expansion, due to the helical shape and as can be seen in Fig. 1 of Sakaya et al. There is no disclosure or teaching of a base profile having a uniform width along its entire length, as in the present invention. Basically, the alternating left and right profilings in the sides of the hollow profile of the present invention are not taught by Sakaya et al. In Sakaya et al. the peaks and valleys of the helical formation on opposite sides of the pipe do not correspond with each other so as to provide the pipe with a uniform width/diameter along its entire length. Thus, the construction of Sakaya et al. leads to pressure losses which are avoided in the construction of the present invention.

In view of these considerations it is respectfully submitted that the rejection of claim 5 under 35 U.S.C. 102(b) or, in the alternative, under 35 U.S.C. 103(a) over the above-discussed reference is overcome and should be withdrawn.

Reconsideration and allowance of the present application are respectfully requested.

Any additional fees or charges required at this time in

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connection with this application may be charged to Patent and
Trademark Office Deposit Account No. 11-1835.

Respectfully submitted,

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